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the containers it carries; that is, each pallet carries only one stacked array of containers. Furthermore, each pallet is essentially part of the equipment of the ship because each loaded pallet must travel with the ship. The method practiced under the Ikuta reference is a "double loading" system; that is, the containers must first be loaded onto the self-propelled pallet, and the pallet is then propelled onto the ship. The Allegri reference discloses a lift truck 16 having lift frame 11 for lifting a cargo container 67.

At paragraph 5 of the Office action, it is indicated that "it would have been obvious to one of ordinary skill in the art to modify the method of Ikuta by moving the containers individually in order to reduce the number of vehicles needed for loading and to allow the vehicles to be dedicated to a port area rather than traveling with the load."

In order to gain a further understanding of the rejection, the undersigned called the Examiner on July 20, 2000, and the undersigned thanks the Examiner for further explaining the proposed combination of the references. At that time, the Examiner indicated that under the argument advanced in the Office action, the lift truck of the Allegri reference would be used with the ramp and ship of the Ikuta reference to individually load and stack container on the deck of the ship.

However, it is asserted that the references cannot be combined in the suggested manner. If the Ikuta reference were modified in this manner, the self-propelled pallets of that reference would not be utilized at all, and would be essentially discarded. All that would remain of the Ikuta reference would be the ship and ramp. It is submitted that this severely modifies the nature of the Ikuta reference, and changes invention of the Ikuta reference beyond the nature of the invention disclosed in that reference. It is submitted that there is no teaching or suggestion for this drastic modification of the Ikuta reference. Although the Office action indicates that the alleged motivation for such a combination would be "to allow the vehicles to be dedicated to a port area rather than traveling with the load," it is submitted that this is a vague, general assertion that would not lead one skilled in the art to carry out the proposed modification and

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combination of references. Indeed, such a teaching contravenes the teachings of the Ikuta reference, wherein each vehicle must travel with the load, and it is asserted one of ordinary skill in the art would not modify the Ikuta method in this manner when the entire Ikuta method is designed to use "dedicated" pallets. Accordingly, it is submitted that it is not proper to combine the references in the proposed manner, and it is submitted that claims 16, 22 and 24 are therefore allowable over the cited reference.

It is further submitted that if the Ikuta and Allegri references were to be combined, they would not result in the claimed invention. As noted earlier, the method practiced under the Ikuta reference is a "double loading" system; that is, the containers must first be loaded onto the pallet, and the pallet is then propelled onto the ship. Thus, if the Allegri reference were combined with the Ikuta reference, it is submitted that the lift truck of the Allegri reference would be used to load containers onto the pallet of the Ikuta reference. Because the loading method disclosed in the Ikuta reference inherently requires each container to be loaded onto a pallet, it is submitted that if the Ikuta and Allegri references were combined, the lift truck of the Allegri reference would be used to load the containers onto the pallets of the Ikuta reference. It is submitted that the lift truck of the Allegri reference would not be used to *replace* the pallets as is proposed in the Office action rejection.

In fact, it appears that the pallets of the Ikuta reference are more analogous to the marine vessel of the present invention than they are to the loading/unloading vehicle of the present application. For example, in the Ikuta reference, the containers are loaded directly on the pallets; similarly, in the present invention the containers are loaded directly onto the marine vessel. Accordingly, it is submitted that even if the Ikuta and Allegri references were combined, the method as defined in claims 16, 22 and 24 would not result from the proposed combination.

Claim 25 has been amended to specify that the vehicle has a body portion and a gripping portion including a spreader attachment, and the gripping portion is capable of being

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raised and lowered, rotated, and inclined relative to the body portion. Such capabilities are found in a reach stacker, which is a highly maneuverable vehicle. Support for this amendment is found at page 3, lines 10-18, and page 7, lines 17-28 of the originally-filed application. It is submitted that the cited art does not disclose a vehicle having the gripping portion as defined in claim 25. More particularly, the Allegri reference discloses a lift truck having a lift frame that is rigidly attached to the lifting portion of the lift truck. In contrast, the gripping portion of the vehicle of the present invention can be raised and lowered, rotated, and inclined, which enables the reach stack to accurately and precisely stack the containers of the present application.

Claim 25 also specifies that the vehicle engages the top wall of the container, which is disclosed at page 7, lines 21-22 of the original specification. Furthermore, claim 28 specifies that the vehicle "grasps" the container. Both of these features of the vehicle provide the advantage that the vehicle does not require access to the bottom of the container, as does the lift truck of the Allegri reference. Furthermore, because the vehicle of the present invention can access the top of the containers, the vehicle can grip the top four corners of the container, which is a more stable and secure gripping arrangement than that provided by the lift trucks, as noted at column 2, lines 51-65 of the Allegri reference. The vehicle of the present invention also eliminates the racking and twisting motion that the vertically-biased lift frame of the Allegri reference seeks to minimize (see column 2, lines 64-65).

For these reasons, it is submitted that the claims are allowable over the cited references. If the Examiner would like to discuss any aspect of this response, he is invited to call the undersigned at the telephone number below.

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or to credit any overpayment to Deposit Account 20-0809.

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In view of the foregoing amendments and arguments, the application appears to be in a condition for allowance, and a formal notice thereof is requested.

Respectfully submitted,



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